



Federal Communications Commission
Washington, D.C. 20554

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In Reply Refer to:
1800B3-SLW

Kalamazoo Broadcasting Company, Inc.
399 Garfield Ave.
Grand Rapids, MI 49504

Law Offices of Williams D. Silva
P.O. Box 1121
Stevensville, MD 21666

Re: Kalamazoo Broadcasting Company, Inc.
WKPR(AM), Kalamazoo, MI
Facility ID No. 33280
File No. BP-20101027AAJ (Application
for Minor Change in licensed facility)

Langford Broadcasting
WDOW(AM), Dowagiac, MI
Facility ID No. 69803
(Proposed surrender of license)

Dear Licensees:

We have before us an application for minor change ("KBC Application") in the licensed facilities of Station WKPR(AM), Kalamazoo, Michigan ("WKPR") filed by the Kalamazoo Broadcasting Company, Inc. ("KBC"). The KBC Application is accompanied by an Interference Reduction Agreement ("IRA") and a showing proposing the surrender of the license of Station WDOW(AM), Dowagiac, Michigan ("WDOW"). For the reasons set forth below, we approve the IRA and grant the KBC Application, subject to surrender of WDOW's license.

WKPR is a Class D facility licensed to operate on 1420 kHz with a power of 1.0 kW daytime and 0.015 kW nighttime, employing a two tower directional antenna system for both daytime and nighttime operation. WDOW is licensed on 1440 kHz with a daytime power of 1 kW and a nighttime power of 0.089 kW, employing a non-directional antenna system for both daytime and nighttime operation. WDOW also holds granted Construction Permit BP-20070813ADA authorizing 2.3 kW daytime non-directional power and 0.089 kW nighttime non-directional power at the licensed site.

In the IRA, the parties propose a grant of the KBC Application and surrender of WDOW's license. Grant of the KBC Application would authorize WKPR to change frequency from 1420 kHz to 1440 kHz and increase daytime power to 2.7 kW, employing a non-directional antenna system from the present site location.

In recent years, the Commission has acted to revitalize and improve the AM service.¹ As part of this effort, we permit licensees to reach agreements to reduce power or cancel their licenses in order to permit other licensees to improve service, and to reduce overall interference.² In amending Section 73.3517 of the Rules³ to permit contingent applications that would “reduce interference to one or more AM stations or ... otherwise decrease the area of interference,” the Commission removed regulatory barriers that had previously prevented or discouraged individual AM licensees from entering into private agreements to decrease inter-station interference and improve the overall quality of AM service.⁴

When such contingent agreements are proposed that would involve the deletion or modification of existing AM stations, we must engage in a case-by-case public interest determination. In particular, the parties must demonstrate that a “local service floor” would remain in the community losing a local transmission service as a result of the proposed agreement.⁵ The Commission did not choose to “establish a quantifiable service floor that can uniformly be applied with respect to the replacement of deleted facilities,” opting instead for the case-by-case approach. However, the Commission did determine that, at a minimum, any agreement that resulted in the deletion of a station could not create a “white” or “gray” area.⁶

When undertaking the case-by-case analysis, we generally consider four factors: the amount of AM interference that would be eliminated in relation to the number of AM and FM services remaining available to the areas that would lose service; the areas and populations that would gain service as a result of the proposed change; whether the proposal would create any white or gray areas; and the availability of AM and FM service in the area that will experience a reduction in service due to the proposed contingent facilities changes.⁷ We will therefore examine the parties’ IRA here in light of these four factors.

Reduction in Interference. The IRA states that grant of the KBC Application will result in reduced interference over an area of 2,298.71 square kilometers covering 309,459 people. Currently, the entire WKPR(AM) 0.5 mV/m service contour is subject to incoming interference from one or more facilities. WKPR also causes interference to two facilities. The IRA asserts that these areas of contour overlap will be totally eliminated by WKPR’s change in frequency and the deletion of WDOW. In addition to reduced interference for WKPR, the IRA states that Station WNWZ(AM), Grand Rapids, Michigan (“WNWZ”) and Station WIMS(AM), Michigan City, Michigan (“WIMS”) will experience reduced interference.

Increased Service. The IRA indicates that WKPR’s daytime power increase and the reduction of existing interference will result in primary and secondary gains of service to 348,210 people. Primary gains would allow WKPR to reach 40,994 more people in new service areas and 266,151 more people due to gains in service area as a result of reduced interference. Secondary gains would result in reduced

¹ See, e.g., *Review of the Technical Assignment Criteria for the AM Broadcast Service*, Report and Order, 6 FCC Rcd 6273 (1991), *recon. Granted in part and denied in part*, 8 FCC Rcd 3250 (1993).

² *Policies to Encourage Interference Reduction between AM Broadcast Stations*, Report and Order, 5 FCC Rcd 4492 (1990) (“*Interference Reduction*”).

³ 47 C.F.R. § 73.3517.

⁴ *Interference Reduction*, 5 FCC Rcd at 4492.

⁵ *Id.* at 4494.

⁶ *Id.* A “white area is one that receives no full-time aural service; a “gray” area receives only one full-time aural service. 47 C.F.R. § 73.14; *Interference Reduction*, 5 FCC Rcd at 4494 n. 14.

⁷ *Interference Reduction*, 5 FCC Rcd at 4494.

interference for WNWZ and WIMS. Reduced interference would permit those stations to reach 2,432 and 38,633 more people, respectively.


Creation of Gray/White Area; Local Service Floor. The IRA further states that the entire 1,937 square kilometers of loss area will continue to be served by no less than five aural services and that deletion of station WDOW would not create any white or gray areas. Our analysis corroborates these claims. Thus, there is a sufficient local service floor to warrant grant of the application.

For the reasons set forth above, we find that the facts and circumstances presented to us establish that grant of the KBC Application and surrender of the WDOW license will further the public interest, convenience, and necessity.

Accordingly, IT IS ORDERED, that the KBC Application (File No. BP-20101027AAJ) of Kalamazoo Broadcasting Company, Inc. for modification of the facilities of Station WKPR(AM), Kalamazoo, Michigan, IS GRANTED, conditions as follows:

This action shall be conditioned upon the surrender of the license of Station WDOW(AM), Dowagiac, Michigan, to the Commission for cancellation prior to the commencement of program test authority by the WKPR facility authorized by the subject construction permit, pursuant to the discontinuance of operation provisions of 47 C.F.R. Section 73.1750.

Sincerely,


for Peter H. Doyle
Chief, Audio Division
Media Bureau